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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Aaron M. Sanders**APPLN. NO:** 09/640,196**FILED:** 16 August 2000 **ART UNIT:** 2161**TITLE:** BUSINESS METHOD AND PROCESSING SYSTEM**SECOND REQUEST FOR RECONSIDERATION OF PETITION TO MAKE SPECIAL****RECEIVED**Mail Stop Petition
Commissioner of Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

JUL 22 2003

GROUP 3800

Dear Sir:

The prior Request for Reconsideration has been denied for only one reason.
The Special Programs Examiner states:

Applicant's declaration states that the patent application covers a 'system' that relates to manufacturing color prints on hard machinery placed inside buildings that would require high end printing machinery costing about \$250,000 for the machinery and \$50,000 for setting up the facility. However, nowhere in the claims in the pending application is there language requiring manufacturing color prints on hard machinery or any language pertaining to subject matter requiring of manufacturing. (Emphasis added.)

As previously noted, this issue is without merit. It presumes that business method claims do not involve the construction or manufacture of anything tangible. In fact, as previously demonstrated by the inventor's submitted affidavit, the construction/manufacture of the system involved in and described by this patent involves physical components and is extremely expensive. In short, it involves the building or retrofitting of a structure with unique features and extensive equipment outlays. Thus, the system is embodied in a tangible manufactured set-up with a physical presence. It also involves the production of physical products.

In addition, it is incorrect to state that the claims do not contain "language pertaining to subject matter requiring of manufacturing". Attached is a specific set of references from the application. Some are taken from the specification and are clearly related to manufacturing. As the claims are to be interpreted in the light of the specification, it is clear they also pertain to manufacturing. The remainder are taken directly from the claims. All specifically relate to

manufacturing color prints on hard machinery and/or contain language pertaining to subject matter requiring manufacturing.

In view of the foregoing, petitioner respectfully requests reconsideration and acceptance of the Petition to Make Special.

Respectfully submitted,
EUGENE STEPHENS & ASSOCIATES



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SRS:skd

Enclosures

Dated: 21 July 2003

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on July 21, 2003.


Sandra Duffy

References to: manufacturing color prints on hard machinery or any language pertaining to subject matter requiring manufacturing

Section	Page / Line	Words	Interpretation
Description of the Invention	Page 9, Line 7-11 ?	business method that helps to create an e-service outsourcing enterprise delivering "productivity" to customers through an array of back-office knowledge services..... on-site through implementation "kiosks" or venues	"Implementation kiosks" or "venues" are the pre-fabricated setup of high-end printing equipment and computers networked to each other and connected to the internet according to the method and processing system of the invention – essentially 'manufacturing'
Description of the Invention	Page 9, Line 17 ?	Establish productivity service centers (PSCs), or kiosks or venues, in large commercial office or government buildings, preferably of 350,000 sq. ft. or greater	"productivity site centers" are the manufacturing type of setups referred to above that are housed or located inside large buildings – a physical setup in a physical space costing to be managed by real people much like a 'transportable factory' or a reference to 'manufacturing' again
Description of the Invention	Page 10, Line 23-25 ?	includes web-enabled print on demand and variable data printing, image and text distribution, and repositories; digital, local and domestic courier services; office products and services distribution and fulfillment	Refers to 'print on demand equipment' fulfillment and service distribution which cannot be done without high end printing machinery and people – equipment for print-on-demand and variable data printing is 'hard machinery'

Claims	Page 15, Line 16-20 7 v	building owner / property manager / university / government property manager to provide the venue for the service center consisting of adequate floor space and on terms that allow a flexible engagement within the building / property, and to build it out according to a pre-specified design for workflow and case of operation	Refers to the establishment of a service center and building out the same according to a pre-specified design for operation - reference to 'hard machinery' installation and 'manufacturing type operation' <i>- ps n, 'km 5 little effort or investment'</i>
Claims	Page 15, Line 26-29 7 1	using existing web-based connectivity or a newly designed network in the building / property, so that the tenant occupants / users within the building / property are able to submit orders to the service center online and so that the order logging, processing, routing and fulfillment may be done either online, onsite or offsite	Refers to a 'service center for processing and fulfillment onsite' which is another way of saying 'manufacturing'
Claims	Page 16, Line 1-3 7	the service delivery to the end users - including installation of equipment, maintenance, supplies, training and key operators where applicable	Clearly calls out the installation of equipment and operators to run the same in the service center - essentially 'manufacturing'
Claims	Page 18, Line 1-3	The service delivery and dynamic load balancing system of claim 6 used in synchronization with the processing system of claim 3 which allows individual desktop and other users to select the print or some other function	Clearly calls out a load balancing system for processing print orders at the service center - another reference to 'manufacturing'

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DATE: 21 July 2003

TO: Commissioner for Patents
SPECIAL PROGRAMS EXAMINER – Steven M. Meyers
TECHNOLOGY CENTER: 3600

FROM: Steven R. Scott

RE: Patent Application No. 09/640,196
Filed: 16 August 2000
Applicant: Aaron M. Sanders
Title: BUSINESS METHOD AND PROCESSING SYSTEM

NUMBER OF PAGES INCLUDING COVER SHEET: 6

**Please see the attached Second Request for
Reconsideration of Petition to Make Special and
attachments.**

**If you experience any transmission problems, please call the
number above**